

Rule 15. Preliminary inquiry; informal adjustment without petition.

(a) If the minor controverts the allegations in the referral or upon request by the minor, the effort at non judicial adjustment shall terminate.

(b) In attempting to determine whether the interests of the minor or the public require that a petition be filed, the probation intake officer may conduct one or more interviews with the minor, , or if a child, then with the child and at least one of the child's parent, guardian or custodian and may invite the referring party and the victim, if any, to attend or otherwise seek further information from them. Attendance at any such interview shall be voluntary and the probation intake officer may not compel the disclosure of any information or the visiting of any place. A non judicial adjustment of the case shall not be attempted if the offense or condition alleged in the referral report as a basis for court jurisdiction is denied by the minor.

(c) In any such interview, the minor, , or if a child, then the child and the child's ~~minor's~~ parent, guardian or custodian must be advised that the interview is voluntary, that they have a right to have counsel present to represent the minor, that the minor has the right not to disclose any information, and that any information disclosed that could tend to incriminate the minor cannot be used against the minor in court to prove whether the minor committed the offense alleged in the referral but may be used as part of a dispositional recommendation to the court.

(d) If the probation intake officer concludes on the basis of the preliminary inquiry that non judicial adjustment is appropriate and is authorized in such cases by the court, such officer may seek agreement with the minor, , or if a child, then with the child and the child's ~~and the~~ parent, guardian or custodian to a proposed non judicial adjustment. If such agreement is reached and the terms and conditions agreed upon are satisfactorily complied with by the minor, , or if a child, then with the child and the child's ~~minor's~~ parent, guardian or custodian, the case shall be closed without petition. Such resolution of the case shall not be deemed an adjudication of jurisdiction of the court and shall not constitute an official record of juvenile court action or disposition. A non judicial adjustment may be considered by the probation intake officer in a subsequent preliminary inquiry and by the court for purposes of disposition only following adjudication of a subsequent delinquency involving the same minor.

32 (e) Attempts to affect non judicial adjustment of a case shall not extend beyond 90
33 days without authorization by the court, and then for no more than an additional 90
34 days.

35